



Att'y Dkt. No. 003-116
U.S. App. No. 10/780618

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hans Ulrich FRUTSCHI

Appl. No.: 10/780618

Filing Date: 19 February 2004

Title: Method for Operating a Partially-Closed,
Turbocharged Bas Turbine Cycle, and . . .

Art Unit: 3748

Examiner: Trieu

Atty. Docket: 003-116

INFORMATION DISCLOSURE STATEMENT

Mail Stop RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.
- ☐ 2. The Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. Below is a certification under 37 C.F.R. § 1.97(e).
- ☐ b. Attached is our check no. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ c. Please charge my Deposit Account No. **50-2821** in the amount of \$ _____ for the fee under 37 C.F.R. § 1.17(p).
- ☐ d. Please charge the credit account identified in the attached form PTO-2038 for the fee under 37 C.F.R. § 1.17(p).

- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant hereby Petitions that the Information Disclosure Statement be considered. For the fee under 37 C.F.R. § 1.17(p) in the amount of \$180.00, ☐ attached is my check ☐ please charge my Deposit Account No. 50-2821 ☐ please charge the credit account identified in the attached form PTO-2038
- ☐ 4 Certification(s) under 37 C.F.R. § 1.97(e):
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby certify that no item of information on this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. Relevance of the non-English language document(s) is discussed in the present specification. See pages _____ of the specification of the present application.
- ☒ 6. The document(s) was/were cited in a corresponding foreign application; ☒ a copy of a search report issued in the foreign application is attached, and/or ☐ an English language version of the foreign search report is attached for the Examiner's information. M.P.E.P. § 609 III (A)(3).
- ☐ 7. A concise explanation of the relevance of the non-English language document(s) ☐ is attached hereto or ☐ appears below.
- ☐ 8. Copies of the documents were cited by or submitted to the U.S. P.T.O. in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. Copies of the documents cited in the International Search Report (PCT/ISA/210) and/or the International Preliminary Examination Report (PCT/IPEA/416) have been received by the U.S. P.T.O., as indicated on the Notification of Acceptance (PCT/DO/EO/903); accordingly, additional copies are not provided herewith. M.P.E.P. §§ 609 II, 1892.03(g).
- ☒ 10. Copies of published U.S. patent documents, cited on the PTO-1449 filed herewith, are NOT provided. 37 C.F.R. § 1.98(a)(2)(ii).

☐ 11. Certification under 37 C.F.R. § 1.704(d):

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

☐ 12. Other: _____.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

Respectfully submitted,

By:



Adam J. Cermak
Reg. No. 40391

Date: 29 November 2004

U.S. P.T.O. Customer Number 36844

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FORM PTO 1449 (modified) INFORMATION DISCLOSURE STATEMENT	Att'y. Ref.. No.: 003-116	App. No.: 10/780618
	APPLICANT(S): Frutschi	
	FILING DATE: 19 February 2004	Group Art Unit:3164

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUB'N DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,932,940	03 Aug 1999	Epstein et al.	257	414	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUB'N DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	DE10060690	13 Jun 2002	Germany			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	GB0529786A	26 May 1939	Great Britain			<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No

OTHER (Including Author, Title, Date, Pertinent Pages, Publisher, etc.)

	Search Report from DE 103 07 374.4 (28 Aug. 2003)
	Search Report from GB 0403740.4 (17 June 2004)
	Malmquist, Anders, et al., "Microturbines: speeding the shift to distributed heat and power", ABB Review, pp 22-30 (March 2003, ABB, Baden, Switzerland)

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	